

State of Wisconsin



2003 Assembly Bill 423

Date of enactment:
Date of publication*:

2003 WISCONSIN ACT

AN ACT to amend 174.02 (1) (b), 174.02 (2) (a) and (b) and 174.02 (3) (a) (intro.) of the statutes; relating to: liability for damages caused by dogs, court orders to kill a dog, and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 174.02 (1) (b) of the statutes is amended to read:

174.02 (1) (b) *After notice.* Subject to s. 895.045 and except as provided in s. 895.57 (4), the owner of a dog is liable for 2 times the full amount of damages caused by the dog ~~injuring or causing injury to~~ biting a person, domestic animal or property with sufficient force to break the skin and cause permanent physical scarring or disfigurement if the owner was notified or knew that the dog ~~had previously injured or caused injury to, without provocation, bitten~~ a person, domestic animal or property with sufficient force to break the skin and cause permanent physical scarring or disfigurement.

SECTION 2. 174.02 (2) (a) and (b) of the statutes are amended to read:

174.02 (2) (a) *Without notice.* The owner of a dog shall forfeit not less than \$50 nor more than \$500 \$2,500 if the dog injures or causes injury to a person, domestic animal, property, deer, game birds or the nests or eggs of game birds.

(b) *After notice.* The owner of a dog shall forfeit not less than \$200 nor more than \$1,000 \$5,000 if the dog injures or causes injury to a person, domestic animal, property, deer, game birds or the nests or eggs of game birds, and if the owner was notified or knew that the dog previously injured or caused injury to a person, domestic animal, property, deer, game birds or the nests or eggs of game birds.

SECTION 3. 174.02 (3) (a) (intro.) of the statutes is amended to read:

174.02 (3) (a) (intro.) The state, or any municipality, or any other person may commence a civil action to obtain a judgment from a court ordering an officer to kill a dog. The court may grant the judgment if the court finds both of the following:

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].